

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION**

In re: NEWHART'S, INC.	§	Case No. 07-13684-SSM
	§	
APPLIANCES, FOREMOST	§	
Debtor(s)	§	

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**TRUSTEE'S FINAL REPORT (TFR)**

The undersigned trustee hereby makes this Final Report and states as follows:

1. The debtor filed a petition under Chapter 7 of the United States Bankruptcy Code on November 29, 2007. The undersigned trustee was appointed on December 02, 2007.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 108,119.70

Funds were disbursed in the following amounts:

Administrative expenses	<u>12,057.51</u>
Payments to creditors	<u>64,448.70</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Payments to the debtor	<u>0.00</u>
Leaving a balance on hand of <sup>1</sup>	\$ <u>31,613.49</u>

The remaining funds are available for distribution.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

<sup>1</sup> The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

6. The deadline for filing claims in this case was 04/16/2008. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$5,117.10. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$2,709.32, for a total compensation of \$2,709.32. In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$63.71, for total expenses of \$63.71.

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 08/13/2010 By: /s/GORDON P. PEYTON  
Trustee

**STATEMENT:** This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

# Form 1

## Individual Estate Property Record and Report

### Asset Cases

Case Number: 07-13684-SSM

Trustee: (660280) GORDON P. PEYTON

Case Name: NEWHART'S, INC.

Filed (f) or Converted (c): 11/29/07 (f)

§341(a) Meeting Date: 01/03/08

Period Ending: 08/13/10

Claims Bar Date: 04/16/08

1 Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property <u>Abandoned</u> OA=\$554(a) DA=\$554(c)	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	BANK ACCOUNTS AT CARDINAL BANK S/A \$108.71 C/A \$5025.14	5,914.34	5,914.34	DA	5,133.85	FA
2	CD AT UNITED BANK	1,200.00	1,200.00	DA	4,048.17	FA
3	LEASE HELD BY CLARKE-HOOK	11,000.00	11,000.00	DA	0.00	FA
4	LEASE WITH MERCHANDISE MART PROPERTIES	22,000.00	22,000.00	DA	0.00	FA
5	UTILITY WITH PEPCO	440.00	440.00	DA	0.00	FA
6	UTILITY WITH DOMINION VIRGINIA POWER	300.00	300.00	DA	0.00	FA
7	CUSTOMER LISTS	Unknown	Unknown	DA	0.00	FA
8	1998 FORD BOX TRUCK	3,500.00	3,500.00	DA	0.00	FA
9	MISC. OFFICE EQUIPMENT	4,000.00	4,000.00		0.00	FA
10	MISC. FIXTURES, EQUIPMENT	2,000.00	2,000.00		0.00	FA
11	INVENTORY AT CHANTILLY SUITES D & C	500,000.00	500,000.00		0.00	FA
12	INVENTORY AT WDC SUITES C-1 AND C-19	172,500.00	172,500.00		0.00	FA
13	INVENTORY AT CHANTILLY WAREHOUSE GE ARGUABLY HOLDS A SECURED LIEN ON ALL ITEMS	175,000.00	175,000.00		0.00	FA
14	INVENTORY AT DIFF. KITCHEN, CABINETS DEALERS	57,000.00	57,000.00		0.00	FA
15	PROCEEDS OF AUCTION OF ALL INVENTORY/OFFICE FF&E (u)	98,666.50	0.00		0.00	FA
Int	INTEREST (u)	Unknown	N/A		271.18	Unknown
16	<b>Assets Totals (Excluding unknown values)</b>	<b>\$1,053,520.84</b>	<b>\$954,854.34</b>		<b>\$9,453.20</b>	<b>\$0.00</b>

Major Activities Affecting Case Closing:

**Form 1**  
**Individual Estate Property Record and Report**  
**Asset Cases**

Case Number: 07-13684-SSM

Trustee: (660280) GORDON P. PEYTON

Case Name: NEWHART'S, INC.

Filed (f) or Converted (c): 11/29/07 (f)

§341(a) Meeting Date: 01/03/08

Period Ending: 08/13/10

Claims Bar Date: 04/16/08

1	2	3	4	5	6
Asset Description (Scheduled And Unscheduled (u) Property)  Ref. #	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property <u>Abandoned</u> OA=§554(a) DA=§554(c)	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets

Initial Projected Date Of Final Report (TFR): January 3, 2010

Current Projected Date Of Final Report (TFR): June 7, 2010 (Actual)

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 07-13684-SSM  
Case Name: NEWHART'S, INC.

Trustee: GORDON P. PEYTON (660280)  
Bank Name: JPMORGAN CHASE BANK, N.A.  
Account: \*\*\*-\*\*\*\*\*22-65 - Money Market Account  
Blanket Bond: \$2,000,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: \*\*-\*\*\*4019  
Period Ending: 08/13/10

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
03/17/08		N.T. ARRINGTON	PROCEEDS FROM SALE		96,883.06		96,883.06
			98,666.50	1229-000			96,883.06
			-1,783.44	3620-000			96,883.06
03/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1700%	1270-000	6.06		96,889.12
04/09/08	1001	MRSC INSURANCE PARTNERS, LLC	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 04/09/2008 FOR CASE #07-13684, BOND #8215-38-66	2300-000		307.81	96,581.31
04/21/08	1002	N.T. ARRINGTON AUCTIONEER AND APPRAISER	COMPENSATION PER 4/15/08 COURT ORDER (ENTERED ON DOCKET 4/20/08)	3610-000		9,866.65	86,714.66
04/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1700%	1270-000	13.49		86,728.15
05/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	10.90		86,739.05
06/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	11.02		86,750.07
07/29/08	Int	JPMORGAN CHASE BANK, N.A.	Interest Earned	1270-000	60.72		86,810.79
07/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.5000%	1270-000	12.69		86,823.48
08/29/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.5000%	1270-000	34.46		86,857.94
09/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.5000%	1270-000	38.05		86,895.99
10/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.4000%	1270-000	31.63		86,927.62
11/28/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.2700%	1270-000	21.08		86,948.70
12/03/08	1003	GE COMMERCIAL DISTRIBUTION FINANCE CORPORATION	ESTATE BALANCE OF \$86,948.70 LESS \$22,500; PER 11/26/08 ORDER	4210-000		64,448.70	22,500.00
12/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	11.07		22,511.07
01/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.91		22,511.98
02/27/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.85		22,512.83
03/20/09	1004	MRSC INSURANCE PARTNERS, LLC	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 03/20/2009 FOR CASE #07-13684, POLICY #8215-38-66; INVOICE #74888	2300-000		72.23	22,440.60
03/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.97		22,441.57
04/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.91		22,442.48
05/29/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.88		22,443.36
06/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.97		22,444.33
07/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.94		22,445.27
08/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.94		22,446.21
09/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.91		22,447.12
10/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.91		22,448.03
11/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.94		22,448.97
12/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.94		22,449.91
01/12/10	{1}	CARDINAL BANK	Balance of account	1129-000	5,133.85		27,583.76

Subtotals : \$102,279.15 \$74,695.39

## Form 2

### Cash Receipts And Disbursements Record

**Case Number:** 07-13684-SSM  
**Case Name:** NEWHART'S, INC.

**Trustee:** GORDON P. PEYTON (660280)  
**Bank Name:** JPMORGAN CHASE BANK, N.A.  
**Account:** \*\*\*-\*\*\*\*\*22-65 - Money Market Account  
**Blanket Bond:** \$2,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** \*\*-\*\*\*4019  
**Period Ending:** 08/13/10

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
01/15/10	{2}	UNITED BANK		1129-000	4,048.17		31,631.93
01/29/10	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.05		31,632.98
02/26/10	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.20		31,634.18
03/02/10	Int	JPMORGAN CHASE BANK, N.A.	Current Interest Rate is 0.0500%	1270-000	0.12		31,634.30
03/02/10		Wire out to BNYM account 9200*****2265	Wire out to BNYM account 9200*****2265	9999-000	-31,634.30		0.00

<b>ACCOUNT TOTALS</b>	<b>74,695.39</b>	<b>74,695.39</b>	<b>\$0.00</b>
Less: Bank Transfers	-31,634.30	0.00	
<b>Subtotal</b>	<b>106,329.69</b>	<b>74,695.39</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$106,329.69</b>	<b>\$74,695.39</b>	

## Form 2

### Cash Receipts And Disbursements Record

Case Number: 07-13684-SSM  
Case Name: NEWHART'S, INC.

Trustee: GORDON P. PEYTON (660280)  
Bank Name: The Bank of New York Mellon  
Account: 9200-\*\*\*\*\*22-65 - Money Market Account  
Blanket Bond: \$2,000,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: \*\*-\*\*\*4019  
Period Ending: 08/13/10

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
03/02/10		Wire in from JPMorgan Chase Bank, N.A. account *****2265	Wire in from JPMorgan Chase Bank, N.A. account *****2265	9999-000	31,634.30		31,634.30
03/04/10	11005	MRSC INSURANCE PARTNERS, LLC	BOND PREMIUM PAYMENT ON LEDGER BALANCE AS OF 02/28/2010 FOR CASE #07-13684, Trustee Bond Premium 3/1/10 -3/1/11	2300-000		27.38	31,606.92
03/31/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	1.29		31,608.21
04/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	1.30		31,609.51
05/28/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	1.35		31,610.86
06/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	1.29		31,612.15
07/30/10	Int	The Bank of New York Mellon	Interest posting at 0.0500%	1270-000	1.34		31,613.49

<b>ACCOUNT TOTALS</b>	<b>31,640.87</b>	<b>27.38</b>	<b>\$31,613.49</b>
Less: Bank Transfers	31,634.30	0.00	
<b>Subtotal</b>	<b>6.57</b>	<b>27.38</b>	
Less: Payments to Debtors		0.00	
<b>NET Receipts / Disbursements</b>	<b>\$6.57</b>	<b>\$27.38</b>	

Net Receipts :	106,336.26
Plus Gross Adjustments :	1,783.44
Net Estate :	\$108,119.70

TOTAL - ALL ACCOUNTS	Net Receipts	Net Disbursements	Account Balances
MMA # ***-*****22-65	106,329.69	74,695.39	0.00
MMA # 9200-*****22-65	6.57	27.38	31,613.49
	<b>\$106,336.26</b>	<b>\$74,722.77</b>	<b>\$31,613.49</b>

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## Claims Register and Proposed Distribution

Page: 1

### Case: 07-13684-SSM NEWHART'S, INC.

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
<b>Admin Ch. 7 Claims:</b>								
	11/29/07	200	CLARKE HOOK CORPORATION, INC. C/O CYRON & MILLER, LLP 100 N. PITT STREET, SUITE 200 ALEXANDRIA, VA 22314 <2410-00 Admin. Rent (post-petition storage fees, leases, etc.)> APPROVED IN 1/8/09 COURT ORDER	23,298.11	23,298.11	0.00	23,298.11	12,335.49
	01/22/09	200	ROBERT M. MARINO, ESQUIRE REDMON, PEYTON & BRASWELL, LLP 510 KING STREET, SUITE 301 ALEXANDRIA, VA 22314 <3110-00 Attorney for Trustee Fees (Trustee Firm)> PER FEE APPLICATION FILED 1/22/09	14,550.00	14,550.00	0.00	14,550.00	7,703.69
	01/22/09	200	ROBERT M. MARINO, ESQUIRE REDMON, PEYTON & BRASWELL, LLP 510 KING STREET, SUITE 301 ALEXANDRIA, VA 22314 <3120-00 Attorney for Trustee Expenses (Trustee Firm)> PER FEE APPLICATION FILED 1/22/09	375.21	375.21	0.00	375.21	198.66
	11/29/07	200	GORDON P. PEYTON P.O. BOX 25456 ALEXANDRIA, VA 22313-5456 <2100-00 Trustee Compensation>	5,117.10	5,117.10	0.00	5,117.10	2,709.32
	11/29/07	200	WASHINGTON DESIGN CENTER SUBSIDIARY, LLC C/O BRIAN F. KENNEY, ESQUIRE 1751 PINNACLE, SUITE 500 McLEAN, VA 22102 <2410-00 Admin. Rent (post-petition storage fees, leases, etc.)> APPROVED IN 12/1/08 COURT ORDER	15,997.80	15,997.80	0.00	15,997.80	8,470.25
	11/29/07	200	GORDON P. PEYTON P.O. BOX 25456 ALEXANDRIA, VA 22313-5456 <2200-00 Trustee Expenses>	120.32	120.32	0.00	120.32	63.71
DFF	11/29/07	200	U.S. BANKRUPTCY COURT 200 S. WASHINGTON STREET ALEXANDRIA, VA 22314 <2700-00 Clerk of the Court Costs (includes adversary and other filing fees)>	250.00	250.00	0.00	250.00	132.37
<b>Total for Priority 200: 52.94635% Paid</b>				<b>\$59,708.54</b>	<b>\$59,708.54</b>	<b>\$0.00</b>	<b>\$59,708.54</b>	<b>\$31,613.49</b>
<b>Total for Admin Ch. 7 Claims:</b>				<b>\$59,708.54</b>	<b>\$59,708.54</b>	<b>\$0.00</b>	<b>\$59,708.54</b>	<b>\$31,613.49</b>
<b>Total for Case :</b>				<b>\$59,708.54</b>	<b>\$59,708.54</b>	<b>\$0.00</b>	<b>\$59,708.54</b>	<b>\$31,613.49</b>



# TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 07-13684-SSM  
Case Name: NEWHART'S, INC.  
Trustee Name: GORDON P. PEYTON

Claims of secured creditors will be paid as follows:

<i>Claimant</i>	<i>Proposed Payment</i>
N/A	

Applications for chapter 7 fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
<i>Trustee</i> <u>GORDON P. PEYTON</u>	\$ <u>2,709.32</u>	\$ <u>63.71</u>
<i>Attorney for trustee</i> <u>ROBERT M. MARINO, ESQUIRE</u>	\$ <u>7,703.69</u>	\$ <u>198.66</u>
<i>Appraiser</i> _____	\$ _____	\$ _____
<i>Auctioneer</i> _____	\$ _____	\$ _____
<i>Accountant</i> _____	\$ _____	\$ _____
<i>Special Attorney for trustee</i> _____	\$ _____	\$ _____
<i>Charges,</i> <u>U.S. Bankruptcy Court</u>	\$ <u>132.37</u>	\$ _____
<i>Fees,</i> <u>United States Trustee</u>	\$ _____	\$ _____
<i>Other</i> <u>CLARKE HOOK CORPORATION, INC.</u>	\$ _____	\$ <u>12,335.49</u>
<i>Other</i> <u>WASHINGTON DESIGN CENTER SUBSIDIARY, LLC</u>	\$ _____	\$ <u>8,470.25</u>

Applications for prior chapter fees and administrative expenses have been filed as follows:

<i>Reason/Applicant</i>	<i>Fees</i>	<i>Expenses</i>
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Attorney for debtor	_____	\$ _____	\$ _____
Attorney for	_____	\$ _____	\$ _____
Accountant for	_____	\$ _____	\$ _____
Appraiser for	_____	\$ _____	\$ _____
Other	_____	\$ _____	\$ _____

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 0.0 percent.

Timely allowed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
N/A			

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent.

Tardily filed general (unsecured) claims are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
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N/A

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent.

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

<i>Claim Number</i>	<i>Claimant</i>	<i>Allowed Amt. of Claim</i>	<i>Proposed Payment</i>
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N/A

The amount of surplus returned to the debtor after payment of all claims and interest is \$ 0.00.